

On April 26, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

**161. Adulteration of peppermint oil. U. S. v. 66 Cases of Peppermint Oil. Consent decree of condemnation. Product released under bond to be relabeled and disposed of for technical purposes. (F. D. C. No. 1332. Sample No. 86071-D.)**

This product differed from the pharmacopoeial standard for oil of peppermint.

On January 10, 1940, the United States attorney for the Southern District of New York filed a libel against 66 cases, each containing 60 pounds, of peppermint oil at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about December 5, 1939, by the Transpacific Trading Corporation from Los Angeles, Calif.; and charging that it was adulterated. It was labeled in part "Peppermint Oil."

The article was alleged to be adulterated in that it purported to be or was represented as a drug the name of which is recognized in the United States Pharmacopoeia and its strength differed from and its quality and purity fell below the standard set forth in that compendium in that it yielded not more than 2.9 percent of esters calculated as menthyl acetate, it failed to comply with the test "distinction from oil from *Mentha arvensis*," its color was dark yellow or amber, and its odor was not characteristic of oil of peppermint; whereas the pharmacopoeia specifies that oil of peppermint shall yield not less than 5 percent of esters calculated as menthyl acetate, a specific test is provided in the pharmacopoeia to distinguish peppermint oil obtained from *Mentha piperita* Linné from *Mentha arvensis*. It specifies that peppermint oil is a colorless liquid, and the difference in strength, quality, and purity from such standard was not stated plainly on the label.

On March 29, 1940, the Transpacific Trading Corporation, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it be relabeled "Cornmint Oil Partially Dementholized Imported from China, \* \* \*. For Technical use only," and disposed of for technical uses only.

**162. Adulteration of citrate of magnesia. U. S. v. 201 Bottles of Solution Citrate of Magnesium. Default decree of condemnation and destruction. (F. D. C. No. 1604. Sample No. 64997-D.)**

This product contained less magnesium citrate and less total citric acid than required by the United States Pharmacopoeia.

On March 8, 1940, the United States attorney for the Western District of Kentucky filed a libel against 201 bottles of solution citrate of magnesium at Louisville, Ky., alleging that the article had been shipped in interstate commerce on or about January 10, 1940, by the F. & M. Chemical Co. from Indianapolis, Ind.; and charging that it was adulterated.

The article was alleged to be adulterated in that it purported to be or was represented as a drug the name of which is recognized in the United States Pharmacopoeia, but its strength differed from the standard set forth in the said compendium and its difference in strength from such standard was not stated plainly on the label.

On April 3, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

**163. Adulteration and misbranding of sandalwood oil capsules. U. S. v. 7 Boxes, 21 Boxes, and 19 Boxes of Sandalwood Oil. Default decree of condemnation and destruction. (F. D. C. No. 1274. Sample Nos. 86606-D, 86607-D, 86608-D.)**

Samples of this product yielded not more than 73.5, 45.1, and 44.9 percent, respectively, of alcohols calculated as santalol, were completely insoluble in 5 volumes of 70 percent alcohol, and did not have the characteristic odor of sandalwood; whereas the United States Pharmacopoeia requires that sandalwood oil shall yield not less than 90 percent of alcohols calculated as santalol, shall be soluble in 5 volumes of 70 percent alcohol, and have the characteristic odor of sandalwood. Furthermore, the specific gravity of the product, its optical rotation, and in some samples its color and refractive index did not conform to the pharmacopoeial specifications.

On January 2, 1940, the United States attorney for the District of Massachusetts filed a libel against 47 boxes of sandalwood oil at Boston, Mass., alleging that the article had been shipped in interstate commerce within the period from on or about October 2 to on or about October 24, 1939, by the Red Mill Drug Co.

from Brooklyn, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: "Pure East India (U. S. P.) Sandalwood Oil."

The article was alleged to be adulterated in that it purported to be or was represented as a drug the name of which is recognized in the United States Pharmacopoeia but its strength differed from, and its quality and purity fell below, the standard set forth in that compendium, and its difference in strength, quality, and purity from such standard was not plainly stated on its label.

It was alleged to be misbranded in that the representation in the labeling that it was pure East India U. S. P. sandalwood oil was false and misleading.

On March 18, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**164. Adulteration and misbranding of sandalwood oil. U. S. v. 5 Boxes and 12 Boxes of Sandalwood Oil. Default decree of condemnation and destruction.** (F. D. C. Nos. 1282, 1330. Sample Nos. 77631-D, 77632-D, 77634-D.)

This product differed from the pharmacopoeial standard in the following respects: It yielded less than 90 percent of alcohols calculated as santalol, it did not have the characteristic odor of sandalwood, and was not soluble in 5 volumes of 70 percent alcohol. It also differed from the standard with respect to its specific gravity and optical rotation.

On January 2 and January 10, 1940, the United States attorney for the Eastern District of Pennsylvania filed libels against 17 boxes of sandalwood oil at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce within the period from about February 2 to October 18, 1939, from Brooklyn, N. Y., by the Red Mill Drug Co.; and charging that it was adulterated and misbranded.

It was alleged to be adulterated in that it purported to be or was represented as a drug, the name of which is recognized in the United States Pharmacopoeia but its strength differed from, and its quality and purity fell below, the standard set forth in the pharmacopoeia; and its difference in strength, quality, and purity from such standard was not plainly stated on the label.

It was alleged to be misbranded in that the representation in the labeling that it consisted of pure East India (U. S. P.) sandalwood oil was false and misleading.

On February 3, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**165. Adulteration and misbranding of tincture digitalis. U. S. v. 2 Bottles and 4 Bottles of Tincture Digitalis. Default decree of condemnation and destruction.** (F. D. C. No. 1459. Sample No. 76917-D.)

The potency of this article exceeded the maximum potency for tincture of digitalis as specified in the United States Pharmacopoeia.

On February 8, 1940, the United States attorney for the District of Columbia filed a libel against 2 bottles each containing 4 fluid ounces, and 4 bottles each containing 1 pint, of tincture of digitalis at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about August 4 and September 26, 1939, by Burrough Bros. Manufacturing Co. from Baltimore, Md.; and charging that it was adulterated and misbranded.

Adulteration was alleged in that the article purported to be and was represented as a drug the name of which is recognized in the United States Pharmacopoeia and its strength differed from the standard set forth in that official compendium.

It was alleged to be misbranded in that the representations in the labeling that it was tincture of digitalis, U. S. P. XI, that 1 cc. possessed an activity equivalent to 1 to 1.1 U. S. P. digitalis units, were false and misleading since each cc. of the article did not possess an activity equivalent to 1 to 1.1 U. S. P. digitalis units but did possess a greater activity.

On February 29, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

**166. Adulteration of digitalis leaves. U. S. v. 106 Packages of Digitalis. Consent decree of condemnation. Product released under bond for relabeling.** (F. D. C. No. 1391. Sample Nos. 68453-D, 68454-D.)

This product differed from the pharmacopoeial requirements, one shipment having a potency of 62 percent and the other having a potency of 61 percent of that required.

On January 22, 1940, the United States attorney for the Southern District of New York filed a libel against 106 sacks of digitalis leaves at New York, N. Y., alleging that the article had been shipped in interstate commerce on